

MESSAGE NO: 5075203

MESSAGE DATE: 03/16/2005

MESSAGE STATUS: Active

CATEGORY: Countervailing

TYPE:

TER-Termination Notice

PUBLIC



NON-PUBLIC



SUB-TYPE:

FR CITE:

FR

FR CITE DATE:

REFERENCE

MESSAGE #

(s):

CASE #(s):

C-122-851

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 03/11/2005

TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTICE OF FINAL NEGATIVE DETERMINATION IN THE COUNTERVAILING DUTY
INVESTIGATION OF LIVE SWINE FROM CANADA (C-122-851)

MESSAGE NO: 5075203

DATE: 03 16 2005

CATEGORY: CVD

TYPE: TER

REFERENCE:

REFERENCE DATE:

CASES: C - 122 - 851

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PERIOD COVERED: 03 11 2005 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NOTICE OF FINAL NEGATIVE DETERMINATION IN THE
COUNTERVAILING DUTY INVESTIGATION OF LIVE SWINE FROM
CANADA (C-122-851)

1. ON 03/11/2005, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE
FEDERAL REGISTER ITS FINAL NEGATIVE DETERMINATION IN THE
COUNTERVAILING DUTY INVESTIGATION OF LIVE SWINE FROM CANADA (70
FR 12186).

2. THE MERCHANDISE COVERED BY THIS INVESTIGATION IS ALL LIVE
SWINE FROM CANADA EXCEPT BREEDING STOCK SWINE. LIVE SWINE ARE
DEFINED AS FOUR-LEGGED, MONOGASTRIC (SINGLE-CHAMBERED STOMACH),
LITTER-BEARING (LITTERS TYPICALLY RANGE FROM 8 TO 12 ANIMALS),

OF THE SPECIES *SUS SCROFA DOMESTICUS*. THIS MERCHANDISE IS CURRENTLY CLASSIFIABLE UNDER HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS") SUBHEADINGS 0103.91.00 AND 0103.92.00.

SPECIFICALLY EXCLUDED FROM THIS SCOPE ARE BREEDING STOCK, INCLUDING U.S. DEPARTMENT OF AGRICULTURE CERTIFIED PUREBRED BREEDING STOCK AND ALL OTHER BREEDING STOCK. THE DESIGNATION OF THE PRODUCT AS "BREEDING STOCK" INDICATES THE ACCEPTABILITY OF THE PRODUCT FOR USE AS BREEDING LIVE SWINE. THIS DESIGNATION IS PRESUMED TO INDICATE THAT THESE PRODUCTS ARE BEING USED FOR BREEDING STOCK ONLY. HOWEVER, SHOULD THE PETITIONERS OR OTHER INTERESTED PARTIES PROVIDE A REASONABLE BASIS TO BELIEVE OR SUSPECT THAT THERE EXISTS A PATTERN OF IMPORTATION OF SUCH PRODUCTS FOR OTHER THAN THIS APPLICATION, END-USE CERTIFICATION FOR THE IMPORTATION OF SUCH PRODUCTS MAY BE REQUIRED.

ALTHOUGH THE HTSUS HEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE MERCHANDISE UNDER INVESTIGATION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER C-122-851.

4. THE DEPARTMENT OF COMMERCE FOUND THAT A DE MINIMIS COUNTERVAILING DUTY MARGIN EXISTS WITH RESPECT TO LIVE SWINE FROM CANADA. BASED ON THIS DETERMINATION BY THE DEPARTMENT OF COMMERCE, THIS COUNTERVAILING DUTY INVESTIGATION IS TERMINATED.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O1:MMH).

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party